MINUTES

MONTANA HOUSE OF REPRESENTATIVES
60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By Chairman Diane Rice, on January 12, 2007 at
    8:00 A.M., in Room 137 Capitol.

<u>ROLL CALL</u>

Members Present:
    Rep. Diane Rice, Chairman (R)
    Rep. Dave Gallik, Vice Chairman (D)
    Rep. Ron Stoker, Vice Chairman (R)
    Rep. Douglas Cordier (D)
    Rep. Robyn Driscoll (D)
    Rep. Bob Ebinger (D)
    Rep. George Everett (R)
    Rep. Julie French (D)
    Rep. Rick Jore (C)
    Rep. Krayton Kerns (R)
    Rep. Roger Koopman (R)
    Rep. Deborah Kottel (D)
    Rep. Tom McGillvray (R)
    Rep. Ken Peterson (R)
    Rep. John Ward (R)

Members Excused: None.

Members Absent: Rep. Jesse O'Hara (R)
                Rep. Holly Raser (D)
Staff Present: David Niss, Legislative Branch
                Pam Schindler, Committee Secretary

Audio Committees: These minutes are in outline form only. They
provide a list of participants and a record of official action
taken by the committee. The link to the audio recording of the
meeting is available on the Legislative Branch website.

Committee Business Summary:
    Hearing & Date Posted: HB 91, HB 84, HB 185, HB 187
                            1/8/2007
        Executive Action: HB 32, HB 35

HEARING ON HB 84

Opening Statement by Sponsor:

00:01:26 Rep. Dave Mcalpin (D), HD 94, opened the hearing on HB 84, Clarify court jurisdiction for sales of alcohol to minors.

Proponents' Testimony:

00:02:58 Jason Wood, Supervisor, Department of Justice-Liquor Control Division

Opponents' Testimony: None

Informational Testimony:

00:04:13 Steve Pretat, Great Falls Police Department, Alcohol Compliance Division
00:05:58 Chad Parker, Assistant County Attorney, Great Falls

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:08:40 Rep. McAlpin

HEARING ON HB 91

Opening Statement by Sponsor:

00:10:06 Rep. Edith Clark (R), HD 28, opened the hearing on HB 91, Revise child abuse and neglect law.

Proponents' Testimony:

00:12:39 Shirley Brown, Administrator, Child and Family Services Division, Department of Public Health and Human Services
EXHIBIT(juh08a01)
EXHIBIT(juh08a02)
00:26:41 Shirley Tiernan, retired social worker, Court Appointed Special Advocate (CASA), Missoula Foster Care Review Committee
00:31:40 Ellen Bush, Executive Director, Montana Court Appointed Special Advocates (CASA)
00:32:25 Janie McCall, Montana Children's Initiative Provider Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

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00:34:13  Rep. Kottel
00:34:54  Shirley Brown
00:38:22  Rep. Koopman
00:39:04  Shirley Brown
00:41:27  Rep. Peterson
00:42:12  Shirley Brown
00:45:32  Rep. Stoker
00:45:47  Rep. Peterson
00:46:00  Rep. McGillvray
00:46:56  Shirley Brown
00:47:30  Rep. Gallik
00:48:55  Shirley Brown
00:49:52  Rep. Rice
00:49:57  Shirley Brown
00:54:40  Rep. Cordier
00:55:35  Shirley Brown
00:56:52  Rep. Gallik
00:57:24  Shirley Brown
00:57:33  David Niss
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Closing by Sponsor:

00:58:35 Rep. Clark

HEARING ON HB 185

Opening Statement by Sponsor:

00:59:52 Rep. Mike Jopek (D), HD 4, opened the hearing on HB
          185, Injunction and license revocation procedures for
          hiring illegal aliens.
EXHIBIT(juh08a03)
EXHIBIT(juh08a04)

Proponents' Testimony:
01:04:16 Lynn Stumberg, Eagle Forum
01:05:45 Keith Allen, International Brotherhood of Electrical
          Workers

Opponents' Testimony:

01:07:57 Riley Johnson, National Federation of Independent
          Businesses

Informational Testimony: None

Questions from Committee Members and Responses:

01:12:19 Rep. Kerns
01:13:19 Rep. Ward
01:14:26 Rep. Peterson
01:14:55 Ms. Stumberg

Closing by Sponsor:

01:16:07 Rep. Jopek

HEARING ON HB 187

Opening Statement by Sponsor:

01:18:03 Rep. Mike Jopek (D), HD 4, opened the hearing on HB
          187, Increase jury duty pay.

Proponents' Testimony:

01:20:06 John Benyan, Montana Chamber of Commerce

Opponents' Testimony: None

Informational Testimony:

01:21:46 Beth McGlocklin, Office Court Administrator, Montana
          Supreme Court

Questions from Committee Members and Responses:

01:22:38 Rep. Kottel
01:23:04 Mr. Benyan
01:24:44 Rep. Peterson
01:24:53 Mr. Benyan
01:25:32 Rep. Koopman
01:27:09 Rep. Jopek

Closing by Sponsor:

01:28:45 Rep. Jopek

01:28:56 Break
01:46:14 Reconvene

EXECUTIVE ACTION ON HB 32

01:46:16 **Motion**: Rep. Stoker moved that **HB 32 DO PASS.**
          Motion: Rep. Everett moved that **HB 32 BE AMENDED.**
EXHIBIT(juh08a05)

Discussion:

01:52:30 **Vote**: Motion that **HB 32 BE AMENDED** failed 1-17 by roll
          call vote with Rep. Everett voting aye. (Reps. Raser
          and O'Hara voted by proxy.)

Discussion:

01:53:41 Rep. Peterson
01:53:48 Rep. Driscoll
01:54:14 Rep. Kottel
01:55:07 Rep. Ebinger
01:55:41 Rep. Everett

01:56:22 **Vote**: Motion that **HB 32 DO PASS** carried unanimously by
          roll call vote. (Reps. Raser and O'Hara voted by
          proxy.)

EXECUTIVE ACTION ON HB 35

01:57:32 **Motion**: Rep. Kottel moved that **HB 35 DO PASS.**

Discussion:

01:58:04 Rep. Kottel

01:58:56 **Motion**: Rep. Kottel moved that **HB 35 BE AMENDED** with
          conceptual amendment; Page 4, Line 14.

Discussion:

01:59:29 Rep. Gallik

02:02:46 **Vote**: Motion that **HB 35 BE AMENDED** with conceptual
          amendment failed by voice vote 1-16 with Rep. Everett
          voting aye. (Reps. Raser and O'Hara voted by proxy.)

02:03:02 **Motion**: Rep. Koopman moved that **HB 35 BE AMENDED.**
EXHIBIT(juh08a06)

02:03:56 **Vote**: Motion that **HB 35 BE AMENDED** carried unanimously by voice vote. (Reps. Raser and O'Hara voted by proxy vote.)

02:05:23 **Motion**: Rep. Stoker moved that **HB 35 DO PASS AS AMENDED**.

02:10:43 **Motion**: Rep. Peterson moved that **HB 35 BE AMENDED**. **EXHIBIT**(juh08a07)

02:11:01 **Vote**: Motion that **HB 35 BE AMENDED** carried 15-2 by roll call vote with Rep. Driscoll and Ward voting no. (Reps. Raser and O'Hara voted by proxy.)

02:11:45 **Motion/Vote**: Rep. Stoker moved that **HB 35 DO PASS AS AMENDED**. Motion carried 17-1 by roll call vote with Rep. Jore voting no. (Reps. Raser and O'Hara voted by proxy.)

<u>ADJOURNMENT</u>

Adjournment: 10:12 A.M.

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                                    REP. DIANE RICE, Chairman

                                    _____
                                    PAM SCHINDLER, Secretary

DR/ps

Additional Exhibits:

EXHIBIT([juh08aad.pdf](juh08aad.pdf))